

Leberman



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## **Decision**

**Matter of:** RayDar Planning Consultants

**File:** B-235812

**Date:** July 25, 1989

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### **DIGEST**

Protest is dismissed where protester would not be in line for award were its protest sustained; the protester does not have the required direct interest in the contract award to be considered an interested party under our Bid Protest Regulations.

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### **DECISION**

RayDar Planning Consultants protests the proposed award of a contract to Prospective Computer Analysts, Inc. (PCA), under request for proposals No. N00123-88-R-0732, issued by the Navy for certain integrated logistics support and engineering services. RayDar asserts that the Navy unfairly favored PCA.

We dismiss the protest.

The RFP, issued on September 27, 1988, provided for award of a cost-plus-award-fee contract on the basis of the "greatest value method" of evaluation, with technical considerations stated to be more important than cost. Six offers were received, including those of RayDar and PCA. Based on an initial evaluation, the Navy determined that three proposals, including PCA's, were within the competitive range. The other three proposals, including RayDar's, were determined to be outside the competitive range because they were considered not to have any reasonable chance of being selected for award. After further evaluation of the offers within the competitive range, the Navy determined to award to PCA on the basis that its proposal, which was highest technically rated and offered the lowest estimated cost, provided the greatest value to the government.

Under our Bid Protest Regulations, we will only consider a protest by an interested party, i.e., an actual or prospective bidder or offeror whose direct economic interest

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would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. §§ 21.0(a), 21.1(a) (1988). A party is not interested to maintain a protest if it would not be in line for award if its protest were sustained. DeCamp-Brown & Assocs., B-231397, June 10, 1988, 88-1 CPD ¶ 559.

RayDar has included a number of specific allegations in its protest, all of which relate to RayDar's primary protest basis that the Navy "permitted, encouraged, and allowed the evaluation process to be unfairly influenced in favor of one offeror [PCA] to the exclusion of all others." However, the protest record establishes that if PCA were not selected, the Navy, based on the proposal evaluations, would choose the second or third ranked offeror in the competitive range for award. RayDar, whose proposal was not included in the competitive range, therefore is not an interested party and its allegations against the award to PCA will not be considered on the merits. State Technical Institute at Memphis, 67 Comp. Gen. 236 (1988), 88-1 CPD ¶ 135; Gracon Corp., B-219663, Oct. 22, 1985, 85-2 CPD ¶ 437.

The protest is dismissed.

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